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DEC 31 2007

In re Application of
Miyazono et al.
Application No. 10/630,555
Filed: July 30, 2003
Attorney Docket No. NY-LUD 5298.5 DIV-
US

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: **OFFICE OF PETITIONS**
: **DECISION ON PETITION**
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This is a decision on the petition filed September 17, 2007 requesting under 37 CFR 1.182 that the acceptance of the terminal disclaimer filed October 11, 2006 be withdrawn. The \$400.00 petition fee has been received.

The petition is granted.

Petitioners assert that, as the claims for which the aforementioned terminal disclaimer was originally proffered have now been amended [cancelled] to remove the basis for the previous obviousness-type double patenting rejection, there is no further need for the disclaimer to remain recorded against this application. The undersigned has consulted with the examiner in charge of this application, and has found that the examiner concurs with petitioners' assertion. Accordingly, the terminal disclaimer is withdrawn. USPTO records for the above-identified application have been changed consistent with this decision.

This application is being forwarded to Art Unit 1646 for further processing.

Telephone inquiries related to this decision should be addressed to the undersigned at (571) – 272-3215

Charlema Grant
Petitions Attorney
Office of Petitions